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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,484	10/07/2004	Takahisa Hikida	0033-0955PUS1	7458

2292 7590 01/30/2007  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
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HUG, ERIC J

ART UNIT	PAPER NUMBER
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1731

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/30/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/30/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/510,484	<b>Applicant(s)</b> HIKIDA, TAKAHISA	
	<b>Examiner</b> Eric Hug	<b>Art Unit</b> 1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 102(a) as being anticipated by Watanabe et al (WO 02/090649). US 7,097,741 is being relied upon as an English language equivalent.

Watanabe discloses an elastic shoe press belt having grooves which progressively increase in depth from a central portion of the belt to an end portion. See particularly Figures 2 (stepwise increase), 4 (stepwise increase), 8 (gradual increase) and 9 (trapezoidal decrease). In Figure 9, the thickness of the belt also decreases towards the end portion.

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

2. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Matuszczyk (US 6,030,503).

Matuszczyk discloses an elastic press sleeve (used as a shoe press belt in Figure 1) having recesses 3 located on both ends forming an outer section, and having recesses or grooves 4 located on the remaining portion of the sleeve forming an inner section. The recesses located within the outer sections have a limited length in the travel direction. Grooves located within the inner section may extend endlessly in the travel direction. The recesses in the outer sections may have a greater depth than the recesses/grooves of the inner section. See column 3, lines 43-50, where it states, "For example, a depth of the recesses 3 may be, e.g., approximately 1.5-2.5 mm and a depth of recesses 4 may be, e.g., approximately 0.5-1.5 mm." Thus, regarding claim 1, the belt comprises drains with depths that may be increased from a central portion of the belt toward the end portions. Regarding claim 2, the progression of depth increase is stepped. Regarding claim 2, if the deeper recesses are 1.5-2.5 mm, and the shallower recesses are 0.5-1.5 mm, as given by Matuszczyk, then the depth of the deeper recesses may be between 1.05 to 3.0 times the depth of the shallower recesses. Regarding claim 5, Figure 1 shows the press sleeve used as a shoe press belt 1 in combination with a press shoe 2. In normal operation, the press shoe is pressed against the press sleeve.

3. Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Steiner et al (DE 44 01 580). An English language translation of this document is provided.

Steiner discloses an elastic extended nip press band (shoe press belt) characterized by the presences of bores or grooves in the edge regions of the band. Figure 1 shows bore holes 5.2 at

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the edge region with progressively increasing depth from the inner bore to the outer bore. Figure 5 shows an alternate embodiment where grooves and bores are provided along the cross-section of the belt. In this embodiment, the depth of the grooves/bores progressively increases from the central portion of the belt 5.3 to the edge portion 5.5. Also, in this embodiment, the thickness of the belt decreases towards the edge region. The progression of depth can be characterized as being the claimed curve technique.

4. Claims 1, 2, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Yokoo et al (JP 8-13373). A JPO machine translation is being provided.

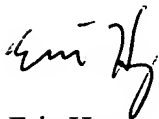
Yokoo discloses an elastic polyurethane shoe press belt comprising grooves 13. Figure 2 shows that the grooves are gradually made deeper from the center region of the belt towards the edge region. Figure 6 shows a shoe press arrangement.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Eric Hug